



INTRLOC_00 WSDOT

File Location

Vendor Name

WSDOT
05/27/2024

Document Type: Interlocal Amendment
Vendor Name: WSDOT
PO# Location: INTRLOC-002
Effect Date: 12/22/2015
Term Date: 05/27/2024
CR#: 58278
Related CR#: 51675 51840
Ordinance:
Resolution: 8501
Leg Date: 01/07/2013
Vendor #: 73423

Description: AMD#2 GRANT AGEEMENT WITH WSDOT FOR FEDERAL
SURFACE TRANSPORTATION FUNDING FOR CONSTRUCTION OF
120TH AVE NE STAGE 2 FROM NE 8TH TO NE 12TH STREET
GR 1450227-002 X-REF 51675 51840

Notes:

INTRLOC_00
INTERLOCAL AGREEMENTS
10/31/2015
\$113.76554



**Washington State
Department of Transportation**

Local Agency Agreement Supplement

Agency City of Bellevue		CR# <u>58278</u> DATE <u>1-12-16</u> LOC <u>INTRLOC-002</u>	Supplement Number <u>2</u>
Federal Aid Project Number STPUL-2033(026)	Agreement Number LA-8407		CFDA No. 20.205 (Catalog of Federal Domestic Assistance)

The Local Agency requests to supplement the agreement entered into and executed on 5/27/14

All provisions in the basic agreement remain in effect except as modified by this supplement.

The changes to the agreement are as follows:

Project Description

Name 120th Ave NE Corridor - Phase 2

Length 0.25 miles

Termini NE 8th Street to NE 12th Street

Description of Work ☒ No Change

Reason for Supplement

Add funds to state services per WSDOT request 10/30/15.

Are you claiming indirect cost rate? ☐ Yes ☒ No

Project Agreement End Date 12/31/2019

Does this change require additional Right of Way or Easements? ☐ Yes ☒ No

Advertisement Date: 01/04/2016

Type of Work		Estimate of Funding				
		(1) Previous Agreement/Suppl.	(2) Supplement	(3) Estimated Total Project Funds	(4) Estimated Agency Funds	(5) Estimated Federal Funds
PE % Federal Aid Participation Ratio for PE	a. Agency	3,658,000.00		3,658,000.00	3,658,000.00	
	b. Other					
	c. Other					
	d. State					
	e. Total PE Cost Estimate (a+b+c+d)	3,658,000.00		3,658,000.00	3,658,000.00	
Right of Way % Federal Aid Participation Ratio for RW	f. Agency	14,985,000.00		14,985,000.00	14,985,000.00	
	g. Other					
	h. Other					
	i. State					
	j. Total RW Cost Estimate (f+g+h+i)	14,985,000.00		14,985,000.00	14,985,000.00	
Construction 86.5 % Federal Aid Participation Ratio for CN	k. Contract	3,674,860.00		3,674,860.00	496,106.00	3,178,754.00
	l. Other	8,849,558.00		8,849,558.00	8,849,558.00	
	m. Other					
	n. Other State non-participatory		37,275.00	37,275.00	37,275.00	
	o. Agency	1,684,640.00		1,684,640.00	1,684,640.00	
	p. State	12,725.00		12,725.00	1,718.00	11,007.00
	q. Total CN Cost Estimate (k+l+m+n+o+p)	14,221,783.00	37,275.00	14,259,058.00	11,069,297.00	3,189,761.00
	r. Total Project Cost Estimate (e+j+q)	32,864,783.00	37,275.00	32,902,058.00	29,712,297.00	3,189,761.00

The Local Agency further stipulates that pursuant to said Title 23, regulations and policies and procedures, and as a condition to payment of the Federal funds obligated, it accepts and will comply with the applicable provisions.

Agency Official

By [Signature]
Title Director of Transportation

Washington State Department of Transportation

By [Signature]
Director, Local Programs

Date Executed DEC 22 2015

Agency City of Bellevue		Supplement Number 2
Federal Aid Project Number STPUL-2033(026)	Agreement Number LA-8407	CFDA No. 20.205 (Catalog of Federal Domestic Assistance)

VI. Payment and Partial Reimbursement

The total cost of the project, including all review and engineering costs and other expenses of the State, is to be paid by the Agency and by the Federal Government. Federal funding shall be in accordance with the Federal Transportation Act, as amended, 2 CFR Part 200. The State shall not be ultimately responsible for any of the costs of the project. The Agency shall be ultimately responsible for all costs associated with the project which are not reimbursed by the Federal Government. Nothing in this agreement shall be construed as a promise by the State as to the amount or nature of federal participation in this project.

The Agency shall bill the state for federal aid project costs incurred in conformity with applicable federal and state laws. The agency shall minimize the time elapsed between receipt of federal aid funds and subsequent payment of incurred costs. Expenditures by the Local Agency for maintenance, general administration, supervision, and other overhead shall not be eligible for federal participation unless a current indirect cost plan has been prepared in accordance with the regulations outlined in 2 CFR Part 200 - Uniform Admin Requirements, Cost Principles and Audit Requirements for Federal Awards, and retained for audit.

The State will pay for State incurred costs on the project. Following payment, the State shall bill the Federal Government for reimbursement of those costs eligible for federal participation to the extent that such costs are attributable and properly allocable to this project. The State shall bill the Agency for that portion of State costs which were not reimbursed by the Federal Government (see Section IX).

VII. Audit of Federal Consultant Contracts

The Agency, if services of a consultant are required, shall be responsible for audit of the consultant's records to determine eligible federal aid costs on the project. The report of said audit shall be in the Agency's files and made available to the State and the Federal Government.

An audit shall be conducted by the WSDOT Internal Audit Office in accordance with generally accepted governmental auditing standards as issued by the United States General Accounting Office by the Comptroller General of the United States; WSDOT Manual M 27-50, Consultant Authorization, Selection, and Agreement Administration; memoranda of understanding between WSDOT and FHWA; and 2 CFR Part 200.501 - Audit Requirements.

If upon audit it is found that overpayment or participation of federal money in ineligible items of cost has occurred, the Agency shall reimburse the State for the amount of such overpayment or excess participation.

VIII. Single Audit Act

The Agency, as a subrecipient of federal funds, shall adhere to the federal regulations outlined in 2 CFR Part 200.501 as well as all applicable federal and state statutes and regulations. A subrecipient who expends \$750,000 or more in federal awards from all sources during a given fiscal year shall have a single or program-specific audit performed for that year in accordance with the provisions of 2 CFR Part 200.501. Upon conclusion of the audit, the Agency shall be responsible for ensuring that a copy of the report is transmitted promptly to the State.

IX. Payment of Billing

The Agency agrees that if payment or arrangement for payment of any of the State's billing relative to the project (e.g., State force work, project cancellation, overpayment, cost ineligible for federal participation, etc.) is not made to the State within 45 days after the Agency has been billed, the State shall effect reimbursement of the total sum due from the regular monthly fuel tax allotments to the Agency from the Motor Vehicle Fund. No additional Federal project funding will be approved until full payment is received unless otherwise directed by the Director of Local Programs.

Project Agreement End Date - This date is based on your projects Period of Performance (2 CFR Part 200.309).

Any costs incurred after the Project Agreement End Date are NOT eligible for federal reimbursement. All eligible costs incurred prior to the Project Agreement End Date must be submitted for reimbursement within 90 days after the Project Agreement End Date or they become ineligible for federal reimbursement.

XVII. Assurances

Local Agencies receiving Federal funding from the USDOT or its operating administrations (i.e., Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration) are required to submit a written policy statement, signed by the Agency Executive and addressed to the State, documenting that all programs, activities and services will be conducted in compliance with Section 504 and the Americans with Disabilities Act (ADA).

activities on the 120th Avenue NE Corridor –NE 4th Street to Northup Way project. A work order number (JA-6911) was set up for WSDOT employees to charge their time to when working on this project for the City. The JA Agreement (JA-6911) was set up for \$10,000.00, but the expenditures to date have now reached a total of \$16,302.33. An increase in the authorized amount for this agreement is needed. Please send an e-mail to Phil Segami or Ed Conyers authorizing WSDOT to increase JA-6911 to a new total of \$16,500.00. Our accounting office will send the City a final invoice for \$6,302.33 and after payment is received, we will close out the JA-6911 work order number and agreement.

The construction phase for Stage 1 was funded with federal aid dollars under STPUL-2033(025) and work order number TA-4782. The construction work for Stage 1 ran from NE 4th Street to NE 8th Street (NE 7th St). That work has been completed and all federal funds have been expended. No remaining dollars.

The construction phase for Stage 2 was funded with federal aid dollars under STPUL-2033(026) and work order number TA-5459. The construction work for Stage 2 runs from NE 8th Street (NE 7th St) to NE 12th Street. Work on this stage is continuing, but all the federal funds have been expended. State Force expenditures have far exceeded the estimated amount for TA-5459 and additional charges are anticipated for materials lab testing and fabrication inspections until the Stage 2 construction work is completed. Thus far, State Force costs total \$23,584.64, but we have recently learned that approximately \$15,000.00 in State Force cost for work on this project were incorrectly charged to a King County project [Missing Sidewalks In Skyway TAP-2017(132) TA-5429]. We are in the process of transferring those costs back to your project where they rightfully belong. The total overrun for State Force costs would then be in excess of \$38,000.00. A Supplement is needed to increase the State Force line item amount to cover the existing overrun and future costs until this construction project is complete. Since all the federal funds in this project are already expended, a locally funded State Force line item needs to be set up by the Supplement. It is estimated that the total State Force authorized amount should be increased to \$75,000.00 or \$80,000.00.

Stage 3 [120th Avenue NE Stage 3 – NE 12th Street to Northup Way] has no federal funds available now. A JA Agreement was set up for WSDOT to charge to for work on Stage 3. JA-9069 has an authorized amount of \$10,000.00 for PE and RW work activities by WSDOT. No expenditures have been incurred to date for JA-9069.

To address the cost overruns to JA-6911 and TA-5459, the City needs to take the following actions:

Authorize by e-mail an increase to JA-6911 for a new total of \$16,500.00

Submit a Supplement # 2 that sets up a locally funded State Force line item, which when added to the federally funded State Force line item, totals \$75,000.00 to \$80,000.00. *After Mtg. w/ Dave C. & CN materials folks they thought a total of \$50K was more accurate as there isn't much work left.* I hope this explanation clears up some of the confusion involved with this project. If you have any other questions, please talk to Phil or Renae. Thanks.

Dave Oberg
WSDOT NWR Local Programs
206-4404731
obergd@wsdot.wa.gov

From: Segami, Phil
Sent: Wednesday, October 28, 2015 7:22 AM
To: TFinco@bellevuewa.gov
Cc: Oberg, Dave; Larsen, Renae L.
Subject: RE: Overspent Accounts

Toni,
Dave Oberg is working on this. Looks like charges from the 120th Corridor project were mistakenly made to King County. Those charges will need to be transferred to from TA-5429 to TA-5459. All future fabrication or construction

Finco, Toni

From: Segami, Phil <SegamiP@wsdot.wa.gov>
Sent: Wednesday, November 04, 2015 8:32 AM
To: Krawczyk, Paul
Cc: Larsen, Renae L.; Oberg, Dave; Finco, Toni
Subject: RE: Approval of JA6911 Budget increase from \$ 10,000 to \$16,5000.

Paul,
The increase from \$10K to \$16.5K has been entered into our system. You are good to go. Thanks.

Phil

From: PKrawczyk@bellevuewa.gov [mailto:PKrawczyk@bellevuewa.gov]
Sent: Wednesday, November 04, 2015 7:51 AM
To: Segami, Phil
Cc: Larsen, Renae L.; Oberg, Dave; TFinco@bellevuewa.gov
Subject: Approval of JA6911 Budget increase from \$ 10,000 to \$16,5000.

Hello Phi:

The City of Bellevue is hereby increasing the budget for JA-6911 from the original amount of \$10,000 to \$16,500.

Please let me know if there is an official budget amendment for me to sign or if this email confirmation is sufficient.

Thank you again for all your work on the 120th Avenue NE Stage 1, Stage 2 and Stage 3 projects.

Paul Krawczyk
120th Avenue NE Project Manager

Paul Krawczyk, PE, PMP
City of Bellevue, WA
pkrawczyk@bellevuewa.gov
425-452-7905

From: Oberg, Dave [mailto:ObergD@wsdot.wa.gov]
Sent: Friday, October 30, 2015 2:52 PM
To: Finco, Toni <TFinco@bellevuewa.gov>
Cc: Segami, Phil <SegamiP@wsdot.wa.gov>; Larsen, Renae L. <LarsenR@wsdot.wa.gov>
Subject: FW: Overspent Accounts

Toni,

You have the honor of receiving my final e-mail as a WSDOT employee since I am officially retired as of 3:30 PM today. I will try to sort out all the different agreements and work order numbers associated with your 120th Avenue NE Corridor project. Your project has been separated into three stages now and that has resulted in some confusion regarding what charge numbers to use and when. So here goes.

Initially, there was no federal aid funds available to do the PE and RW work for your project. The City used your own funds to do that work, but also asked WSDOT to provide some assistance and documentation reviews for PE and RW



City of
Bellevue

Post Office Box 90012 • Bellevue, Washington • 98009 9012

December 4, 2015

Phil Segami
Assistant Local Programs Engineer
WSDOT NW Region, MS NB82-121
P.O. Box 330310
Seattle, WA 98133-9710

RE: Transmittal Local Agency Agreement Supplement #2 for 120th Avenue NE Corridor –
Phase 2

Phil,

Please find attached the new and approved Supplement #2 for the above mentioned project. Renae asked that I revise this Supplement to include a non-participatory line for State Services.

This Supplement adds local funds to the State Services account. Dave Oberg's suggestion (see email) was to boost the amount to \$80,000; however Dave Cieri thought \$50,000 would be more appropriate as he doesn't think they will need much more work done. I guess time will tell. Once the Supplement is executed, please send me one signed original.

Please do not hesitate to contact me at 425-452-4859 if you have follow-up questions or need anything else from the city.

Sincerely,

Toni Finco
Transportation Grants Program Manager
City of Bellevue Transportation Dept.

Enclosures

CC: Renae Larsen, WSDOT Local Programs NW Region (via e-mail)
Paul Krawczyk, Project Manager

CONTRACT FACE SHEET

Document Type:☐ Contract☐ MOU☐ Interlocal Agreement☐ Notice of Acceptance☐ Retainage☐ Franchise Agreement☐ Right of Way Use Agreement☐ Lien☐ Correspondence☐ Collective Bargaining Agreement☒ Grant**Status:**☐ New☐ Renewal☒ Amendment☐ Cancellation☐ Change Order***Funding Source:**Federal - Indirect***Administrative Agency:**Washington State Department of Transportation***Funding Agency:**Federal Highway Administration***Project Name:**120th Ave NE Improvement - Stage 2***Department:**Transportation**JDE Project Number:**410682001 1450001002**JDE Vendor Number:**73423**Original Effective Date:**05/27/2014**Agreement Termination Date:**05/27/2024**Budget Fund:**Capital**CIP Plan Number:**PW-R-164**Ordinance Number:**N/A**Resolution Number:**8501**Grant Number:****Clerk's Receiving #:****Related Clerk's Receiving #:**

*Denotes mandatory fields.

Face Sheet Date: _____

Scan Date: _____

Index Date: _____

CR #: 58278 Date: 1-12-16 Loc: INTRLOC PO #: 1450227.000



City of Bellevue
Finance - Contracting Services
425-452-7876

Grant Agreement Routing Form

Current Agreement Information

Agreement Title:

120th Ave NE Corridor - Phase 2 Federal Grant Agreement

Agreement Description:

Local Agency Agreement with WSDOT for Federal STP funds

Agreement Form:

Vendor Agreement Document

Agreement Type: Grant

Document Type: Funding Agreement

Agreement Manager: Toni Finco

Agreement Amount: \$0.00 ✓

Total Aggregate Value: \$3,189,761.00 ✓

Project Information:

Project Name: 120th Ave NE Improvement - Stag...

Department: Transportation

Requirement and list source explanation:

Matching funds are programmed in CIP Plan No. PW-R-164

Project Manager: Paul Krawczyk

Are matching funds required on this project? Yes

Granting Organization Information:

Funding Agency: Federal Highway Administration

Administrative Agency: Washington State Department of Transportation

Administrative Agency JDE Vendor #: 73423

Funding Program Name: Surface Transportation Program

Agreement Terms:

Original Effective Date: 05/27/2014 (actual date)

End Date: 05/27/2024 (estimated date)

Related Agreement Information:

Is this a renewal/amendment? Yes

Amendment #: 2

Amendment Effective Date: 5/27/2014

Original PO #: 1450227.000

Original Agreement Amount: \$1,100,68... ✓

Total Value of Previous Amendments: \$2,089,0...

Council Approval:

Council Award Date: 1/7/2013

Ordinance #: N/A

Resolution #: 8501

Route:

Procurement Services:

A. Coulter

In
11/17/15

Out
11/17/15

Accounting:

Abigail Rich

11/17/15

→

Information Technology:

Not Required

Legal:

[Signature]

11/17/15

11/18/15

Insurance Reviewed By:

[Signature]

11/18/15

11-18-15

Department Director:

[Signature]

11/23/15

11/23/15

Procurement Services:

M. Tomasco

1-12-16

1-12-16